

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

MASON VAUGHAN, et al.,

Plaintiff,

vs.

DELTA DELTA DELTA FRATERNITY, et al.

Defendants.

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**Civ. Action No.: 1:24-cv-00186-  
LCB-JEP**

**JOINT MOTION FOR  
EXTENSION OF TIME TO FILE  
MOTION FOR PRELIMINARY  
APPROVAL**

Plaintiff Mason Vaughan, individually and on behalf of all others similarly situated (collectively, “**Plaintiffs**”), and Defendants Delta Delta Delta Fraternity, Delta Delta Delta Park Street Properties, LLC and Delta Delta Delta Foundation (collectively, “**Defendants**”), by and through their undersigned counsel, pursuant to Federal Rule of Civil Procedure 6(b) and Local Civil Rule 7.1, respectfully jointly moves this Court for an Order extending the time for the Parties shall file a motion for preliminary approval of the settlement, by thirty (30) days to October 23, 2024. In support of their motion, the Parties state as follows:

1. On March 6, 2024, Plaintiffs filed the complaint in this matter. (Dkt. 1.)
2. Each of the Defendants filed their respective Waiver of the Service of Summons on April 9, 2024 (Dkt. Nos. 6-9), and each such Waiver of the Service of Summons was refiled again on April 26, 2024 (Dkt. Nos. 12-15).
3. On June 5 and July 9, 2024, respectively, Defendants filed their First and Second Motions for an Extension of Time to File an Answer or Otherwise Respond to Plaintiff’s Complaint (Dkt. Nos. 16, 18).
4. On August 13, 2024, Defendants filed their Third Motion for an Extension of Time to File an Answer or Otherwise Respond to Plaintiff’s Complaint (Dkt. No. 21). In that motion,

Defendants advised the Court that the Parties have reached a settlement in principle of this matter on a class wide basis, and requested an extension of time up to and including September 23, 2024 for Defendants to answer or otherwise respond to Plaintiff's Complaint or for the parties to otherwise file a motion for preliminary approval (Id.).

5. The Court granted Defendants' Motion on August 13, 2024 (Dkt. No. 22).

6. On August 14, 2024, the Parties filed a notice of settlement of the matter (Dkt. No. 23).

7. The Parties have been working diligently to prepare and execute the necessary settlement documents and prepare and file the necessary motion for preliminary approval of the class-wide settlement. The Parties anticipate that they will be able to prepare and finalize these documents on or before October 23, 2024.

8. Under Federal Rule of Civil Procedure 6(b), this Court is authorized to extend the period within which the Parties are required to file the motion for preliminary approval.

9. In light of the Parties' settlement in principle of this matter and the additional time required to prepare and finalize the necessary settlement documents and motion for preliminary approval, the Parties jointly request an extension of time of thirty (30) days, up to and including October 23, 2024, to file the motion for preliminary approval.

10. On September 11, 2024, counsel for Defendants discussed this request with Plaintiffs' counsel and Plaintiffs' counsel joins in this request.

11. This Motion is not submitted for the purpose of unnecessary delay. Granting the instant Motion will not cause prejudice to any party, but denying the Motion will cause prejudice to Defendants.

12. This is the Parties' first request for an extension of time to file the motion for preliminary approval.

**WHEREFORE**, the Parties respectfully jointly requests that this Court enter an Order extending the time by which the Parties shall file the motion for preliminary approval by thirty (30) days from the current due date of September 23, 2024 to October 23, 2024, or for the Parties to otherwise file the motion for preliminary approval.

Dated: September 11, 2024

GORDON REES SCULLY MANSUKHANI, LLP

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*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 11, 2024, a copy of the foregoing document was filed and served via the Court's ECF filing system, which will notify the following:

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